IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO. 3825 OF 2005
IN
CRIMINAL APPEAL NO. 569 OF 2005

Naim Ramzan Ahmed Ansari. .. ..Applicant
(Orig. Accused No.4)

Versus

The State of Maharashtra. .. ..Respondent

Shri. M. K. Kochrekar, Advocate, for the Applicant-Original Accusede No. 4.

Shri. U. V. Nikam, A. P. P., for the Respondent-State.

CORAM : A. M. KHANWILKAR, J.
DATE : NOVEMBER 21, 2005

P. C.

. Heard learned Counsel for the parties.

2. In my view, having regard to the nature of evidence on record and the findings recorded by the trial Court, especially when there is an injured eyewitness, who has deposed against the applicant and identified the applicant, no case for bail is made out. This application will have to be rejected.

3. Learned Counsel for the applicant, however,

contends that the applicant has already undergone a substantive part of the sentence of four years and four months by now, out of the total period of ten years awarded by the Court below. Even so, this application will have to be rejected. However, it will be open for the applicant to move a fresh application after six months in the event there is no further progress in the appeal. The hearing of the appeal is expedited. Liberty to apply.

(A. M. KHANWILKAR, J.)